



General Assembly

January Session, 2003

***Raised Bill No. 956***

LCO No. 3359

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

***AN ACT CONCERNING CHILD DAY CARE CENTERS AND CHILDREN  
WITH SPECIAL HEALTH CARE NEEDS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 19a-490 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2003*):

4 (d) "Home health care agency" means a public or private  
5 organization, or a subdivision thereof, engaged in providing  
6 professional nursing services and the following services, available  
7 twenty-four hours per day, in the patient's home, [or a substantially  
8 equivalent environment] a child day care center, as defined in section  
9 19a-77, or an environment substantially equivalent to such home or  
10 center: Homemaker-home health aide services as defined in this  
11 section, physical therapy, speech therapy, occupational therapy or  
12 medical social services. The agency shall provide professional nursing  
13 services and at least one additional service directly and all others  
14 directly or through contract. An agency shall be available to enroll new  
15 patients seven days a week, twenty-four hours per day.

16       Sec. 2. Subsection (a) of section 19a-79 of the general statutes is  
17 repealed and the following is substituted in lieu thereof (*Effective*  
18 *October 1, 2003*):

19       (a) The Commissioner of Public Health shall adopt regulations, in  
20 accordance with the provisions of chapter 54, to carry out the purposes  
21 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
22 and to assure that child day care centers and group day care homes  
23 shall meet the health, educational and social needs of children utilizing  
24 such child day care centers and group day care homes. Such  
25 regulations shall (1) specify that before being permitted to attend any  
26 child day care center or group day care home, each child shall be  
27 protected as age-appropriate by adequate immunization against  
28 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
29 hemophilus influenzae type B and any other vaccine required by the  
30 schedule of active immunization adopted pursuant to section 19a-7f,  
31 including appropriate exemptions for children for whom such  
32 immunization is medically contraindicated and for children whose  
33 parents object to such immunization on religious grounds, (2) specify  
34 conditions under which child day care center directors and teachers  
35 and group day care home providers may administer tests to monitor  
36 glucose levels in a child with diagnosed diabetes mellitus, and  
37 administer medicinal preparations, including controlled drugs  
38 specified in the regulations by the commissioner, to a child receiving  
39 child day care services at such child day care center or group day care  
40 home pursuant to the written order of a physician licensed to practice  
41 medicine or a dentist licensed to practice dental medicine in this or  
42 another state, or an advanced practice registered nurse licensed to  
43 prescribe in accordance with section 20-94a, or a physician assistant  
44 licensed to prescribe in accordance with section 20-12d, and the written  
45 authorization of a parent or guardian of such child, (3) specify that an  
46 operator of a child day care center or group day care home, licensed  
47 before January 1, 1986, or an operator who receives a license after  
48 January 1, 1986, for a facility licensed prior to January 1, 1986, shall  
49 provide a minimum of thirty square feet per child of total indoor

50 usable space, free of furniture except that needed for the children's  
 51 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,  
 52 halls, isolation room or other rooms used for purposes other than the  
 53 activities of the children, (4) specify that a child day care center or  
 54 group day care home licensed after January 1, 1986, shall provide  
 55 thirty-five square feet per child of total indoor usable space, (5)  
 56 establish appropriate child day care center staffing requirements for  
 57 employees certified in cardiopulmonary resuscitation by the American  
 58 Red Cross or the American Heart Association, (6) require child day  
 59 care centers to comply with the Americans with Disabilities Act, as  
 60 from time to time amended, and make reasonable efforts to  
 61 accommodate children with special needs and integrate such children  
 62 with other children, (7) specify that on and after January 1, 2003, a  
 63 child day care center or group day care home (A) shall not deny  
 64 services to a child on the basis of a child's known or suspected allergy  
 65 or because a child has a prescription for an automatic prefilled  
 66 cartridge injector or similar automatic injectable equipment used to  
 67 treat an allergic reaction, (B) shall, within three weeks of such child's  
 68 enrollment in such a center or home, have staff trained in the use of  
 69 such equipment on-site during all hours when such a child is on-site,  
 70 (C) shall require such child's parent or guardian to provide the injector  
 71 or injectable equipment and a copy of the prescription for such  
 72 medication and injector or injectable equipment upon enrollment of  
 73 such child, and (D) shall require a parent or guardian enrolling such a  
 74 child to replace such medication and equipment prior to its expiration  
 75 date, and (8) require licensed child day care centers to provide diaper  
 76 changing areas for children older than three years of age.

77 Sec. 3. (NEW) (*Effective October 1, 2003*) The Department of Social  
 78 Services shall accept written complaints from individuals regarding  
 79 licensed child day care centers and shall promptly forward such  
 80 complaints to the Commissioner of Public Health, who shall  
 81 investigate such complaints and take action as required pursuant to  
 82 section 19a-84 of the general statutes.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>

***KID******Joint Favorable C/R*****PH**